

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ALLEN JOHNSON SR.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 17 C 2000
)	
KEVIN FRAIN, LTS Supervisor, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Because this Court's recent memorandum order (the "Order," issued on March 24) identified Stateville Correctional Center ("Stateville") inmate Allen Johnson Sr. ("Johnson") as "the unusual (almost unique) pro se prisoner plaintiff who has actually paid the \$400 filing fee up front," the Order addressed a Clerk's-Office-supplied form that Johnson had filed contemporaneously with his Complaint: a Motion for Attorney Representation ("Motion"). In that respect, to enable Johnson to pursue the Motion, the Order directed that he be sent copies of another Clerk's-Office-supplied form -- an In Forma Pauperis Application ("Application") -- whose completion would enable this Court to determine whether Johnson had demonstrated a financial condition that would qualify him for obtaining the legal services of a member of this District Court's trial bar.

There is however one other aspect of Johnson's perhaps unique status that requires attention. Because he has not qualified for the special form of in forma pauperis ("IFP") status available to prisoner plaintiffs under 28 U.S.C. § 1915 ("Section 1915") as the result of his payment of the full filing fee, he is not in a position to invoke the provision of Section 1915(d)

that obligates "officers of the court" (meaning the United States Marshals Service) to serve process on his targeted defendants. That should not however pose any difficulty for him, because the Rules of Civil Procedure (in this instance Fed. R. Civ. P. 4(c)(2)) permit "[a]ny person who is at least 18 years old and not a party" to serve the summons and Complaint. That means that Johnson can authorize anyone who fits that undemanding description to do so.

Needless to say, Johnson is also free to pursue his effort to obtain representation by counsel in the manner specified in the Order and, if he is successful in that respect, to request the designated counsel to take care of the service of process on the named defendants. This Court will await an appropriate communication by Johnson.¹



Milton I. Shadur
Senior United States District Judge

Date: March 29, 2017

¹ In the meantime this Court will retain the previously-set status hearing scheduled for May 26, 2017 at 9 a.m.